

# Government Of the District of Columbia

## ZONING COMMISSION



Zoning Commission Order No. 67

Case No. 71-14

August 17, 1973

Pursuant to notice, a public hearing of the Zoning Commission was held on February 14, March 7, and April 3, 1973, to consider an application by Graham Building Associates for an amendment of the Zoning Map of the District of Columbia as follows:

Change from R-4 and C-2-A to C-3-B,  
lots 39-43, 56-63, 65-69, 84-87, 102,  
116, 119-122, 802-803, 809-811, 815,  
817-818, 820 and 822-827 in Square  
1045.

### FINDINGS OF FACT

1. The site of the proposed amendment to the Zoning Map is located on the south side of Pennsylvania Avenue, between 13th Street and Potomac Avenue, and the north side of Potomac Avenue between 13th Street and Pennsylvania Avenue, S. E.

2. The area of the site of the proposed amendment of the Zoning Map is approximately 95,308 square feet.

3. The subject site is presently zoned C-2-A (community business center - medium density, floor area ratio of 2.0, 60 feet height limitation, percentage of lot occupancy 60) and R-4 (row dwellings - minimum width of 18 feet, minimum area of 1,800 square feet, percentage of lot occupancy 60, 3 stores and 40 feet height limitation).

4. The proposed amendment of the Zoning Map would establish zoning for high bulk major business and employment center, floor area ratio of 6.5, 90 feet height limitation and a percentage of lot occupancy of 75.

5. The area contiguous to the subject site of the proposed amendment is a predominantly residential neighborhood, with row houses as the major housing type with scattered apartments and strip commercial along Pennsylvania Avenue.

6. There are two public housing projects in the immediate area of the proposed zone change, The Potomac Gardens project occupies almost all of Square 1020 and is immediately west of Square 1045. Potomac Gardens consists of 352 units in a mixture of low rise (three story) and medium rise (six story) apartment buildings. The project density is 55 units per acre. The Kentucky Courts project approximately one-third of the area of Square 1041 and contains 163 units.

7. The major commercial concentration in the area is along Pennsylvania Avenue, strip zoned C-2-A, consisting of small retail and service establishments, and several automobile service stations. The largest single, commercial center is a new Safeway food store on 14th Street, between D and E Streets, occupying almost the entire eastern half of Square 1042. **Small** retail and service establishments of the "corner store" variety are scattered throughout the area.

8. Schools and related playground space are a significant land use in the neighborhood. They include three elementary **schools** north of Pennsylvania Avenue (C. Watkins, Buchanan and Payne) and Chamberlain Vocational High School, located directly across Potomac Avenue from the subject site.

9. The subject site is near the proposed Potomac Avenue Metro Station, designated by the Mass Transportation Plan element of the Comprehensive Plan as a "secondary station",

provided "for the convenience of a smaller number of transit riders" and "located in lower density neighborhoods or at points relating only to the potential of transfer from other transportation modes" as distinguished from major stations, the design of the Potomac Avenue Station provides only one access point, (TR. 120-121).

10. The majority report of the Zoning Advisory Council recommended denial of the proposed zone change to C-3-B, because it would allow development not in scale with the existing neighborhood, create a new variety of office space out of the central business district, and work contrary to the revitalization in the area. (TR. 63).

11. The National Capital Planning Commission found that:

The neighborhood developed in the early years of this century, and in physical terms, has been relatively stable in recent years. Major change has consisted of public development - the two public housing projects and school additions. There has been some relatively small scale commercial development on Pennsylvania Avenue, primarily gas stations. The most important trend has been the efforts of home owners to improve their property. These small scale individual efforts, though not outwardly dramatic, have been important in improving the neighborhood. There has also been some infilling of new town houses. (TR. 122-123).

The report of the Planning Commission concluded that the proposed rezoning in Square 1045 from R-4 and C-2-A is not in keeping with the Comprehensive Plan for the National Capital

and that any change in zoning of the subject site should be to a less intensive development, such as C-3-A, C-2-B, R-5-C or R-5-B, or some combination thereof, for uses related to neighborhood needs. (TR. 124).

12. The Office of Planning and Management recommended denial of this application for zone change because of the negative impact on the surrounding neighborhood by the traffic that would be generated by the development of the subject site in accordance with the C-3-B zone district (TR. 86), employee parking on residential streets (TR. 87), and found that the proposed development of Square 1045 would introduce an element of uncertainty and instability into this reasonably stable residential neighborhood with an owner - occupancy rate of 33%, which is above the city-wide average of 28%. (TR. 87-88).

13. There was considerable and vigorous citizen opposition, evinced in the public hearing, to this application for zone change.

#### CONCLUSIONS OF' LAW

1. The height, bulk and density of the proposed C-3-B zone district is inappropriate for this area of the city because it would have an adverse impact on the character of the surrounding neighborhood.

2. The proposed zone district is inappropriate because it would not lessen congestion in the street, nor promote health and the general welfare, nor prevent undue concentration of population and the overcrowding of land, nor would it promote such distribution of population and of the uses of land as would tend to create conditions favorable to health, safety, transportation, protection of property, provide recreational opportunities, nor promote efficient supply of public services.

3. The proposed zone district is inappropriate, taking the present character of the district into consideration, because it would neither encourage stability of the district or the land values therein.

4. The proposed zone district is not in harmony with the intent, purpose and integrity of the comprehensive zone plan as embodied in the Zoning Regulations and Map.

#### DECISION

1. The only issue properly before the Zoning Commission in this case is whether the C-3-B zone district is appropriate for application to the subject site.

2. The Commission has carefully reviewed the record in this case and the evidence in support and opposition to the application and finds that although the C-3-B zone district is not appropriate for the subject site, this is not to say that the Zoning Commission believes that the subject site should remain zoned R-4 and C-2-A.

3. The Commission believes that the site can be developed to a commercial or mixed commercial-residential density more in keeping with the surrounding area than as requested in the subject application. The Commission takes note of public planning activities underway for the area in question. The Commission is prepared to receive, in connection with a new application, the views of the subject property owner, other area property owners, affected residents and citizen groups and public planning bodies in arriving at a coordinated plan for the development of the subject site and other parcels adjacent to the Potomac Avenue Metro Station. The Commission believes that controlled development of this site can promote the health, safety and general welfare of this city.


4. The Commission hereby denies the request for amendment to the application for change of zoning to C-3-A in place of C-3-B. The Commission is prepared to expedite the hearing of an application made pursuant to guidelines set out in Paragraph No. 3 above.


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5. In consideration of its findings and conclusions herein the Commission ORDERS DENIAL of the following amendment of the Zoning Map:

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lots 39-43, 56-63, 65-69, 84-87, 102,  
116, 119-122, 802-803, 809-811, 815,  
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ATTEST:   
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Martin Klauber, Secretary  
Zoning Commission